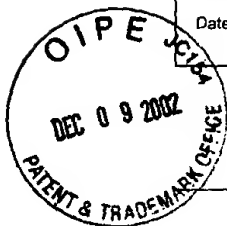


I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: USPTO, BOX SEQUENCE P.O. Box 2327, Arlington, VA 22202 on the date shown below.

Dated: December 4, 2002

Signature:

(Shawn P. Foley)



Docket No.: OCIRS 3.3-072
(PATENT)

Sup
#9/A mp
Box SEQ
12/18/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tumer et al.

Application No.: 09/869,176

Group Art Unit: 1638

Filed: June 26, 2001

Examiner: A. Mehta

For: VIRUS-RESISTANT TRANSGENIC PLANTS
EXPRESSING L3

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RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

U. S. PATENT AND TRADEMARK OFFICE
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Arlington, VA 22202

Dear Sir:

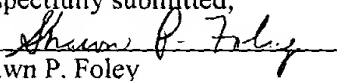
This is in response to the Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, dated November 4, 2002 (copy enclosed).

Also enclosed herewith are the following: (1) the sequence listing in computer readable form (*i.e.*, a diskette); (2) a paper copy of the sequence listing; (3) a statement that the sequence listing does not include matter which goes beyond the content of the Application as filed and that the information recorded on the diskette is identical to the written sequence listing; and (4) an Amendment to the Specification which identifies the sequences.

If the Examiner has any questions concerning this application, she is invited to call applicant's attorney at (908) 654-5000. If any additional fees are required by the present Communication, the Examiner is hereby authorized to charge them to our Deposit Account No. 12-1095.

Dated: December 4, 2002

Respectfully submitted,

By 
Shawn P. Foley

Registration No.: 33,071

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorneys for Applicant

LD-468\



Notice to Comply

Application No.

09/869,176

Examiner

Mehta

Applicant(s)

Tumer et al.

Art Unit

1638

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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